

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RAFAEL GARCIA,

Plaintiff,

v.

CITY OF PHILADELPHIA, ET AL.,

Defendants

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CIVIL ACTION

No. 24-6316

PROPOSED ORDER

AND NOW, this _____ day of April 2025, upon consideration of the Unopposed Motion for an Extension of Time to Respond to Amended Complaint filed by Defendant Philadelphia District Attorney's Office, it is hereby **ORDERED** that the Motion is **GRANTED**. Defendant Philadelphia District Attorney's Office must submit its response to the Amended Complaint on or before May 26, 2025.

BY THE COURT:

MURPHY, J.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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Plaintiff,

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CITY OF PHILADELPHIA, ET AL.,

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CIVIL ACTION

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**DEFENDANT PHILADELPHIA DISTRICT ATTORNEY’S OFFICE UNOPPOSED
MOTION FOR AN EXTENSION OF TIME TO RESPOND TO AMENDED
COMPLAINT**

Defendant, the Philadelphia District Attorney’s Office (DAO), files the following Motion for an Extension of Time, and in support thereof avers as follows:

1. Plaintiff initiated this action with the filing of a Complaint on November 26, 2024 (ECF No. 1).
2. On March 31, 2025, Plaintiff filed an Amended Complaint (ECF No. 17) which added claims against the DAO for the first time.
3. Plaintiff effectuated personal service upon the DAO on April 3, 2025.
4. The DAO’s response to the Amended Complaint is due on April 24, 2025.
5. The undersigned attorney divides his time between the office’s Civil Litigation and Federal Litigation units. The Amended Complaint in this matter was served on the DAO while the supervisor of the Civil Litigation Unit was away on vacation. During the supervisor’s absence, the undersigned assumed additional Civil Litigation duties for the office.
6. Accordingly, the DAO would request an extension of time sufficient to

investigate the allegations in the Complaint and prepare an appropriate response.

7. The undersigned conferred with Plaintiff's counsel, *see Section 3, Policies and Procedures, Judge John G. Murphy*, and Plaintiff does not oppose the DAO's request for a 30-day extension.

WHEREFORE, the Philadelphia District Attorney's Office respectfully request a 30-day extension of time until May 26, 2025, to respond to Plaintiff's Amended Complaint.

Dated: April 18, 2025

Respectfully submitted,

/s/ Joshua B. Niemtow

Joshua B. Niemtow

Assistant District Attorney

Civil Litigation Unit/Federal Litigation Unit

Philadelphia District Attorney's Office

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CERTIFICATE OF SERVICE

I hereby certify that, on April 18, 2025, true and correct copies of the foregoing document were served on all parties of record via the Court's e-filing system.

Respectfully submitted,

/s/ Joshua B. Niemtow

*Counsel for Defendant Philadelphia District
Attorney's Office*